

PHILIP C. HUNSUCKER (SBN 135860)  
BRIAN L. ZAGON (SBN 142403)  
MARC SHAPP (SBN 266805)  
HUNSUCKER GOODSTEIN PC  
3717 Mt. Diablo Blvd., Suite 200  
Lafayette, CA 94549  
Telephone: (925) 284-0840  
Facsimile: (925) 284-0870

LEE N. SMITH (SBN 138071)  
PERKINS, MANN & EVERETT, APC  
7815 N. Palm Ave, Suite 200  
Fresno, CA 93711  
Telephone: (559) 447-5700  
Facsimile: (559) 447-5600

Attorneys for Plaintiff  
AMERIPRIDE SERVICES INC.

FRED M. BLUM (SBN 101586)  
ERIN K. POPPLER (SBN 267724)  
VIVY D. DANG (SBN 297714)  
BASSI, EDLIN, HUIE & BLUM LLP  
500 Washington Street, Suite 700  
San Francisco, CA 94111  
Telephone: (415) 397-9006  
Facsimile: (415) 397-1339

Attorneys for Defendant  
TEXAS EASTERN OVERSEAS, INC.  
[Additional Attorneys Listed on Signature Page]

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

AMERIPRIDE SERVICES, INC.,  
  
Plaintiffs,  
  
vs.  
  
VALLEY INDUSTRIAL SERVICES, INC.,  
a former California corporation, et al.,  
  
Defendants.

Case No. 2:00-cv-00113-MCE-EFB

**STIPULATION AND ORDER  
CONCERNING ADDITIONAL  
RESPONSE COSTS DIRECTLY  
INCURRED BY AMERIPRIDE SERVICES  
INC.**

Judge: Hon. Morrison C. England, Jr.  
Trial Date: August 5, 2016

1 Defendant TEXAS EASTERN OVERSEAS, INC. ("TEO") and Plaintiff  
2 AMERIPRIDE SERVICES INC. ("AmerPride"), by and through their respective counsel,  
3 stipulate as follows:

4 In order to avoid the unnecessary introduction of voluminous documents and to  
5 streamline the trial process, the Parties stipulate to the following facts for the limited and  
6 sole purposes of this trial, and not to be used for any other purpose.

7 **STIPULATION**

8 1. AmeriPride has directly incurred \$1,926,622.62 in investigation and  
9 remediation costs after the Court's April 20, 2012 Order (Dkt. 915) through June 2015.  
10 These costs are identified on Exhibit 1 to this stipulation.

11 2. AmeriPride has directly incurred \$74,863.90 in regulatory oversight costs  
12 after the Court's April 20, 2012 Order through March 2015. These costs are identified on  
13 Exhibit 1 to this stipulation.

14 3. For the purposes of this action only, costs described in Paragraphs 1 and 2  
15 are recoverable under Section 107(a)(4)(B) of the Comprehensive Environmental  
16 Response, Compensation, and Liability Act, 42 U.S.C. § 9607(a)(4)(B).

17 4. There are investigation and cleanup costs and oversight costs for which  
18 AmeriPride seeks recovery that are not included in this stipulation. AmeriPride reserves  
19 all of its rights in connection with such costs. TEO reserves all of its rights to object to  
20 such costs.

21  
22 Date: February 16, 2016

BASSI, EDLIN, HUIE & BLUM LLP

23  
24 By: /s/ Fred M. Blum  
25 FRED M. BLUM  
26 ERIN K. POPPLER  
27 Attorneys for Defendant  
28 TEXAS EASTERN OVERSEAS, INC.

1 Date: February 16, 2016

WILSON, ELSE, MOSKOWITZ, EDELMAN &  
DICKER LLP

2  
3 By: /s/ Ronald S. Bushner  
4 RONALD S. BUSHNER (SBN 98352)  
5 SHANA INSPEKTOR (SBN 291841)  
6 WILSON, ELSE, MOSKOWITZ, EDELMAN  
7 & DICKER LLP  
8 525 Market Street, 17th Floor  
9 San Francisco, California 94105-2725  
Telephone: (415) 433-0990  
Facsimile: (415) 434 1370  
Attorneys for Defendant  
TEXAS EASTERN OVERSEAS, INC.

10 Date: February 16, 2016

HUNSUCKER GOODSTEIN PC

11  
12 By: /s/ Brian L. Zagon  
13 PHILIP C. HUNSUCKER  
14 BRIAN L. ZAGON  
Attorneys for Plaintiffs  
AMERIPRIDE SERVICES INC.

15 Date: February 16, 2016

PERKINS MANN & EVERETT, APC


16  
17 By: /s/ Lee N. Smith  
18 LEE N. SMITH  
19 Attorneys for Plaintiffs  
AMERIPRIDE SERVICES INC.

20 **ORDER**

21 The foregoing stipulation is hereby adopted and approved by the Court.

22 IT IS SO ORDERED.

23 Dated: February 22, 2016

24  
25   
26  
27 MORRISON C. ENGLAND, JR., CHIEF JUDGE  
28 UNITED STATES DISTRICT COURT